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Attorney for Defendant
JOSE FRANCISCO GARCIA

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
(Hon. Jeffrey T. Miller)

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSE FRANCISCO GARCIA,

Defendant.

Case No. 07-CR-2880-JM

**JOINT MOTION TO CONTINUE
MOTION HEARING**

THE PARTIES HEREBY STIPULATE AND JOINTLY MOVE THE COURT, by and between the parties, David L. Katz, counsel for the United States; and Michael Littman, counsel for defendant JOSE FRANCISCO GARCIA, for an order vacating the currently scheduled motion hearing of November 16, 2007, and continuing it to January 11, 2008 at 11:00 a.m. The parties believe it would be in the interest of justice to continue the motion hearing in this matter in order to further discuss this matter which may result in a resolution of the case without trial.

Therefore, the parties jointly request and agree as follows:

1. The defendant JOSE FRANCISCO GARCIA's motion hearing shall be continued from November 16, 2007 at 11:00 a.m. to January 11, 2008 at 11:00 a.m.
2. The time is excludable pursuant to the Speedy Trial Act.

1 3. Mr. Garcia is in custody and consents to the continuance.

2 So stipulated and moved.

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4 DATED: November 15, 2007

s/ Michael Littman
Attorney for Defendant
JOSE FRANCISCO GARCIA

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7 KAREN P. HEWITT, U.S. ATTORNEY

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9 DATED: November 15, 2007

s/ David L. Katz
Assistant United States Attorney